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**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERT LEWIS PEREZ,

Defendant and Appellant.

E055707

(Super.Ct.No. FSB1002688)

OPINION

APPEAL from the Superior Court of San Bernardino County. Michael M. Dest, Judge. Affirmed.

Patrick E. DuNah, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant and appellant Robert Lewis Perez was charged with evading a police officer (Veh. Code, § 2800.2, subd. (a), count 1), leaving the scene of an accident (Veh. Code, § 20002, subd. (a), count 2), and vandalism with damage over \$400 (Pen. Code, § 594, subd. (b)(1), count 3). It was also alleged that he had two prior strike convictions

(Pen. Code, §§ 667, subds. (c) & (e)(1), 1170.12, subd. (c)(1)), and that he had served three prior prison terms (Pen. Code, § 667.5, subd. (b)). Pursuant to a plea agreement, defendant pled no contest to count 1 and admitted one prior strike conviction and one prison prior. In exchange, the trial court dismissed the remaining counts and sentenced him to five years in state prison and awarded 697 days of presentence custody credits (465 actual days and 232 conduct), as agreed upon.

Defendant filed a notice of appeal, indicating he wished to challenge the sentence or other matters occurring after the plea, as well as the validity of his guilty plea. He filed a request for certificate of probable cause, which the trial court denied. We affirm.

### PROCEDURAL BACKGROUND

Defendant was charged with and admitted that, on or about June 29, 2010, he evaded a peace officer, in violation of Vehicle Code section 2800.2, subdivision (a).

### DISCUSSION

Defendant appealed and, upon his request, this court appointed counsel to represent him. Counsel has filed a brief under the authority of *People v. Wende* (1979) 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738, setting forth a statement of the case and one potential arguable issue: whether defendant's plea was constitutionally valid. Counsel has also requested this court to undertake a review of the entire record.

We offered defendant an opportunity to file a personal supplemental brief, which he has not done.

Pursuant to the mandate of *People v. Kelly* (2006) 40 Cal.4th 106, we have conducted an independent review of the record and find no arguable issues.

DISPOSITION

The judgment is affirmed.

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HOLLENHORST  
Acting P. J.

We concur:

KING  
J.

MILLER  
J.